

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Moy et al.
 Serial No. : 09/839,932
 Filed : April 20, 2001
 For : Process for Producing Single Wall Nanotubes Using Unsupported Metal Catalysts and Single Wall Nanotubes Produced According to this Method
 Art Unit : 1754
 Examiner : Stuart Hendrickson

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on January 23 2004, with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: _____

Teresa Pastor

Kramer Levin Naftalis & Frankel LLP

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Director under 37 CFR § 1.181 and MPEP § 711.03(c) to withdraw the holding of abandonment of the above-identified application.

A Notice of Abandonment was mailed on December 9, 2003 stating that the application was abandoned due to Applicants' failure to respond to the Office Action mailed May 20, 2003.

However, Applicants timely filed on November 19, 2003 a Petition For Three Months Extension Of Time and a Response to the May 20, 2003 Office Action. Both the

Petition and the Response contained the requisite Certificate Of Mailing certifying that those documents were indeed timely filed on November 19, 2003. 37 C.F.R. § 1.8. A copy of Applicants' Response and Petition For Three Months Extension Of Time are attached hereto as Exhibit A and B respectively.

Therefore, withdrawal of the Notice of Abandonment, reinstatement of the pendency of the application, and consideration of the Applicants' Response is respectfully requested.


No fee is believed due. If there are any such fees, the Director is authorized to charge and deficiency, or credit any overpayment, to our Deposit Account No. 50-0540.

Dated: January 23, 2004

Respectfully submitted,

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